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JALAPA SHIPPING LIMITED
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JALAPA SHIPPING LIMITED,

Plaintiff,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: <u>2/13/08</u>
DATE FILED: <u>2/13/08</u>

07 Civ. 8715 (RJH)

-against-

SUNDERSONS LTD., MILAN NIGERIA LTD.,
SIMRAN MEHER LTD., CONTI-AGRO
NIGERIA LTD. and VALECHHA HOLDINGS
LIMITED,

Defendants.

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**AMENDED EX PARTE ORDER FOR
PROCESS OF MARITIME ATTACHMENT**

WHEREAS, on February 8, 2008, Plaintiff, JALAPA SHIPPING LIMITED, filed an Amended Verified Complaint herein for damages amounting to \$400,250.55, inclusive of interest, costs and reasonable attorney's fees, and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of Defendants' property within the District of this Court; and

WHEREAS, the Court has reviewed the Amended Verified Complaint and the

supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

ORDERED, that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for the Defendants by any garnissees within this district, including but not limited to American Express Bank, Ltd.; ABN-AMRO Bank; Bank of Tokyo Mitsubishi UFJ Ltd.; Barclays Bank; Calyon; Standard Chartered PLC; HSBC Bank; Bank of America; BNP New York; Bank of New York; J.P. Morgan Chase; Deutsche Bank; Citibank; Mashreq Bank; Bank of China; UBS AG; and Wachovia Bank, which are believed to be due and owing to the Defendants in an amount up to and including \$400,250.55 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and section 8 of the United States Arbitration Act, 9 U.S.C. § 8; and it is further

ORDERED that, in addition to the United States Marshal, Process of Attachment and Garnishment may be served by any individual over 18 years old who is not a party in the case; and it is further

ORDERED that the following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile or e-mail transmission to each garnishee; and it is further

ORDERED that service on any garnishee as described above is deemed effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day; and it is further

ORDERED that any person claiming an interest in the property attached or garnished pursuant to said order shall, upon application to the court, be entitled to a prompt hearing at which the Plaintiffs shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing the Court's Order may be issued by the Clerk upon application from Plaintiffs without further Order of the Court; and it is further

ORDERED that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: New York, New York
February 11, 2008

SO ORDERED:

Frank E. G. J. - L
U.S.D.J.
Part I